FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

Writ Petition No. 1004/2005

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Shri. Anil Mardikar, Adv. for petitioners.
Shri. A.M. Deshpande, A.G.P. for R- 1 & 2.

CORAM : B.R. Gavai, J.
DATED : September 21, 2006.

By way of present petition, the petitioners challenge the order passed by the respondent no.2 in Revision No. 16/2004, thereby dismissing the revision filed by the present petitioners.

The respondent no.1- District Deputy Registrar had passed an order on 20th February, 2004 thereby directing an enquiry under Section 88 of the Maharashtra Cooperative Societies Act, 1960 (hereinafter referred to as the Act for the sake of brevity), against the petitioners. Being aggrieved thereby, revision was filed.

Shri Mardikar, the learned counsel for the petitioners, submitted that for the purpose of an enquiry under Section 88 of the Act, only a period of 5 years preceding the date on which the enquiry is ordered, can be taken into consideration. He further

submitted that the respondents have, however, also taken into consideration the period prior to that.

Perusal of Rule 72 of the Maharashtra Cooperative Societies Rule, 1961, which prescribes the procedure for an enquiry under Section 88 of the Act, would reveal that the petitioners have ample opportunity to raise all these objections before the enquiring authority.

In that view of the matter, the petition is dismissed.

JUDGE

RMP